

# COLON VILLAGE COUNCIL

Village Hall

## REGULAR MEETING – November 09, 2021

**Meeting Call to Order:** at 7:00pm – Pledge of Allegiance was spoken.

**Present:** Dick Delp, Jodi Gross, Eddie LeBoeuf, Marilyn McManus, Michael Malmborg, Linda Norton, Sharon Craun.

**Also Present:** Chief Mark Brinkert, Billi Farrand, Matt Barrett, Tyler Sutkowi, Ed Bell, RA Kuhlmann, Kurt Kuhlmann, David Senkewitz, Julie Dekker, John Walls, Kathy Meiras.

### Approve Consent Agenda-

1. Approval of Agenda – J. Gross made a motion to approve the agenda with the following additions: *Old Business; d. Public Hearing for the Marijuana Ordinance and New Business; l. Holiday Wage Enhancement.* Seconded by D. Delp. Motion passed.
2. L. Norton made a motion to approve the Minutes from October 2021 Meeting, Seconded by J. Gross.
  - a. M. McManus stated she made some changes/corrections to the minutes. She Believes B. Farrand has made the changes on her copy. M. McManus said that she would amend the motion to add the corrections. E. LeBouef asked if they were made before the packets went out. M. McManus answered no. S. Craun asked L. Norton if she wanted to amend her motion.
    1. L. Norton made a motion to amend her motion to include the corrections that M. McManus made. Seconded by J. Gross. Motion passed
3. M. McManus made a motion to approve the payment of October 2021 bills in the amount of \$62,883.49 and payroll in the amount of \$42,611.83. Seconded by M. Malmborg. The motion passed

### Public Comment:

1. No public comments

### Monthly Reports

1. Department of Public Works – report as presented
  - a. Started leaf pick up. Worked on brush in preparation for that. Sticks will clog the leaf vac tube.
    - i. L. Norton asked what the time frame was for picking up leaves? M. Barrett said they were two weeks behind from when the leaves started falling from when they normally fall. They will be picking up until sometime in December unless something makes the leaves fall faster.
    - ii. There is enough to keep them busy.
  - b. Worked on replacing water meters, originally switched over from the old meters which were Master Meters, and the new ones are Neptune Meters. Those were going out and we have to replace those. They have a 30 day turn around. We have all but one replaced
  - c. Fire Hydrants winterized.
  - d. Got a call from R. Smith, they are the ones who will be crushing the concrete that needs to be crushed. They bought a new crusher and are supply problems with parts from caterpillar and asked they could push it off until spring. He said we would be first on the list and they would guarantee the price that they quote us. M. Barrett said that would be fine

- e. Talked to Parrish Excavating and they are working on a new quote for the lagoon pond one pipe, on what is covered and what is not covered. Parrish also said that there was a current 30-day project fee from when we say we want the project done and when they can get to it.
  - i. E. LeBoeuf asked if Parrish gave a time when they would have the estimate done. M. Barrett said they did not, Parrish said they will be start on it and that was last week. Parrish said it should not be much more then the last one. M. Barrett does not want to assume anything until he gets the hard copy of the estimate.
  - ii. E. LeBoeuf asked if this is something we should start soon because we do not want to go too far into winter to get this done. M. Barrett said we need to discharge from the ponds. This last rain we are pumping more off the ponds then normal. It should be safe; he would like to get it down where we can do it this winter or early spring. It will all depend on how much we can discharge. We are pulling samples to make sure all the criteria are met.
- f. Nathan Martin passed his CLD. Now we will have two drivers.
  - i. M. McManus asked since Nate passed his CLD if he was due an increase in pay. S. Craun said yes. S. Craun asked when Nate got his CDL and M. Barrett said October 28, 2021. S. Craun said she thought it was a small increase. E. LeBoeuf asked if they need to vote to approve his step. It's a step raise. S. Craun wasn't sure if it needs to be voted on because it was in the guidelines. No one was sure. S. Craun said it would not hurt to vote on it. S. Craun asked B. Farrand if she knew what the increase was and B. Farrand said she would look. The step increase is \$1.00.
    - 1. E. LeBoeuf made a motion to raise Nathan Martin pay by \$1.00 per his CDL step increase. Seconded by M. McManus. Motion passed
      - a. B. Farrand asked the council if they wanted the pay to start when he passed his CDL test on October 28, 2021, and the council said prorated it from the time he received his CDL License.
- g. DPW would like to recommend John Walls for as the new full time DPW employee.
  - i. S. Craun said that will be down further on the list in New Business.

2. Police – report as presented

- a. M. Brinkert said that we need to order the new vehicle by the end of November if we are going to get it under the State contract to have it built to our specifications. We have gone with Signature Ford for the last 8 or 9 vehicles. It's been under the State purchasing program. The Ford Utility is \$33,499.00. It is \$5,000.00 more then the last time we bought a car, prices have gone up. We need to get the order placed so they can get it built with delivery at the earliest March 2022. Sometimes it does take 8 to 9 months. I would like the council to vote on this.
  - i. M. McManus asked if it would come out of next years budget. M. Brinkert said yes, right now the way it is calculated there is about \$41,000 in the designated savings fund for a new vehicle.
  - ii. D. Delp made a motion to allow M. Brinkert to order a new squad car from Signature Ford in the amount of \$33,499. Seconded by N. Norton. Roll Call, E. LeBoeuf – Yes, J. Gross – Yes, L. Norton – Yes, M. Malmborg – Yes, D. Delp – Yes, M. McManus – Yes, S. Craun – Yes. Motion passed.
- b. M Brinkert said now that we are moving forward with this, I mentioned last month about \$20,000 from our American Recovery Plan Act money to help pay for the equipment. This is replacing a 2007 Ford Crown Vic. There is nothing in the Crown Vic except the radio that can go into the new car. We will have to build it just like we had to build the other one, please keep in mind when we get that money, I am going to request \$20,000 and that should cover the cost of all the new equipment and installation.
- c. S. Craun asked about Christmas in Colon. She wanted to know if we needed any parade permits, if so, is that taken care of by the Village or someone else. M. Brinkert said that the Chamber or who is putting

on the Christmas in Colon is the one who takes care of the parade permits. M. Brinkert said that he has not been contacted about this as of yet.

- d. Much discussion about Christmas in Colon. E. LeBoeuf said unless they have a permit to close down a State Hwy from MDOT they probably will not have a parade. What we could do is have a vote today to approve the closure of the road pending a permit. M. Brinkert said that we do not approve the closing of M-86 for parades, that is all State Trunklines. M. Brinkert said about 10 years ago we did not have a permit for a parade for the 4<sup>th</sup> of July and we did not have it posted and a semi-truck came through and said where's your parade permit? Someone said the 4<sup>th</sup> of July we do not need one. A week later we received a call from the State of Michigan giving us a friendly reminder these are the steps that you need to take and that is when we started hiring reserves and things like that. S. Craun said she would reach out and see if they have obtained it or not. M. Brinkert said we would obtain the permit if the event were sponsored by the Village. Who ever sponsors an event is responsible for obtaining the permits.

3. Office Manager – as presented

- a. I did include Christmas wage enhancement that is under new business.
- b. I also included a Bill of Cost to add to a residents 2022 Village taxes who owes a restitution to the Village and hasn't paid it. Julie called the attorney who is in charge of the restitution, and she sent her this bill of cost. Since Julie talked to her, she added Julie's name to the Bill of Cost. The form was fill out when she sent it to Julie. I would like an approval to add this Bill of Cost to the residents 2022 Village Taxes when we have a total.
  - i. E. LeBoeuf asked if the number that is on the Bill of Cost is the number that will be added to the taxes. B. Farrand said no, we have to get with DPW because there is some clean up cost. The owner did not clean up. We do not know what the actual cost will be. It could wait for a later date when we have the total cost. I just wanted to council to be aware of it.
  - ii. S. Craun said she would add it to the agenda next month.
- c. Mike Hayden has been out sick for the last couple of weeks and when he returns, he will send me the blight report. I will then forward it to the council.
- d. NEP6 grant, we had one person apply but the house he applied for was not in the designated area. We had 1 renter apply. Our Champion stated that they are going to extend the NEP6 grant until April 2022 and because our village is small enough, we could open it up to everyone. Our targeted areas income was higher then allowed for MSHDA. There is an issue with helping renters out. Our champion said that it was not in the initial application. I told her that it is mentioned thru out the application. She is looking into it and will let me know.
- e. We were approved for the ARPA. We should receive half the money (\$60,603.00) in a couple of weeks and the other ½ this time next year. There may be extra if people opted out of receiving the ARPA funds. Not sure why they would but if you don't go on and accept you will lose out on the fund.
- f. There are other grants for villages that I will be looking into that we may qualify for.

4. Fire board – presented by Marilyn McManus

- a. October 13 meeting minutes have not been approved as of yet that is why no one has copies.
- b. There is a new person interested in becoming part of the Fire and Rescue Department. He will be approved hiring after his physical and drug screening.
- c. Colon was declared a State of Emergency. With the Section 19 funding, the fire department is piggybacking off the Village of Colon for the loss they sustained during the storm, which was wages, chainsaw, and generator.
- d. Had much discussion on how to replace the generator. They are very expensive, about \$25,000.00.

- e. Matt Overholt received the Michigan Gas Grant for \$2,000.00. They are going to use that to purchase firehoses for the new truck. Also received more donations for the jaws of life.
  - f. Matt Overholt also received notice that they were denied the FEMA grant. They were hoping to get that and use it for the 24 bottles they need for the mask. Total for 24 bottles is \$24,000.00.
    - i. M. Malmborg asked if FEMA said why they denied it and S. Craun said no they did not, but we can apply again.
  - g. Fire and Rescue received their audit books.
  - h. Much discussion about replacing the generator and if they could get money for one big enough then they would be able to use the fire barn as a warming center. She doesn't think we have one in our community.
    - i. M. Malmborg said something about the school. E. LeBoeuf said that they have a boiling system there.
    - ii. E. LeBoeuf asked if she knew what type of demand, size of generator they were looking at. S. Craun said that Randy Jackson is the one that is working on that, and she really wasn't sure, but it was a pretty big size one.
    - iii. More discussion about the size they may need.
5. Lake Board – presented by Ed Bell
- a. Lake Board is inactive right now. Last meeting of the year was September 11, 2021.
  - b. They have continued to pull some testing for the E. Coli scare that we had. Our last test was mid-October and we pulled 13 samples in different areas and also systems coming into the lake. Some areas were up above the requirements, and some were below. At the present time of year with vacationers leaving and water levels being high they will start early on in the spring. Normally they do not until the temperatures warm up. The board that handles our spring testing usually provides the testing. This year we are going to try and get ahead and try and locate it and if its in two counties, the Health Department will assist us and or possible run the program for us and we will not have to do that.
  - c. Winter activities, we are applying for our State permits for our control maintenance waste control. Also, we have to contact the people who manage all the testing and publish information. Right now, the Lake Board is on a hold situation.
  - d. The water is clearing up with the high waters. We had 6" of rain that we have had in the last 6 to 10 days. Temperature dropped way down, and the clarity is looking good.
  - e. M. Malmborg asked if the E. coli will go away if it gets colder? E. Bell responded it depends on how close you are to the source. Right now, let's just say we are getting a flush. E. LeBoeuf asked if the board has managed to isolate the source or are you getting it from different areas you test? E. Bell responded it is really hard to isolate it because of the flow. They know of some areas that will be checked out / tested. A lot of it is agricultural and some are residential. You also have waterfowl and there are different things. If it is consistent, that is where we need to focus on. Some people may be worried about those situations, we will find out. You can find out more information on [www.colontownshiplakeboard.com](http://www.colontownshiplakeboard.com)
6. Planning Commission – K. Kuhlmann
- a. C. Campbell turned in her resignation effective January 1, 2022. She has agreed to stay on until we find someone to replace her or if her situation changes.
  - b. Master Plan is ready to go out and we are setting a public hearing for January 4, 2022. This need to go out and has to be out for 40 days. It has to go to the newspaper. We have 11 entities that need a copy of the Master Plan or a letter stating where they can find it. Right now, it is not on our website. The current one needs to be put on the website. K. Kuhlmann's question is does the council have a problem with him putting it on the website since he knows how to do it? There will be a lot of things for the Planning



Craun was not sure what they planned on using for candles and she would contact them to find out.

- iii. M. McManus said Park rules state fireworks, bonfires are not allowed in the park. Grills of any kind are not allowed in the pavilion. They do not specifically say candle. The council all agreed we need to have a couple of firemen from the fire department during the vigil just in case.
  - b. The consensus of the council was to allow a Vigil to take place for Chelsea Wallen at the Colon Community Park. Date to be determined.
8. DDA Committee – RA Kuhlmann presented an oral report
- a. DDA met October 26<sup>th</sup> and Kathy Meiras (Village Auditor) joined us. We talked to her about TIF. They are going to start applying. She thinks there is enough that they would be able to capture some of the TIF increase of the tax funds. We talked Kathy about that and also talked to her about opening up our own bank account. At this point they are not quite ready for that. It is something they want to look into in the future.
  - b. Moving ahead with Circa (Web designer).
  - c. This Thursday the MSUSBEI as we explained to you last month. We are very close to getting that grant. There is a zoom meeting and RA Kuhlmann would like to read something she would like posted.
    - i. MSU Sustainable Built Environment Initiative in Colon, MI. The Downtown Development Authority is excited about the possibility of working with MSUBEI this Thursday we will be airing a zoom meeting with the department to discuss the scope of the project and timelines. This initiative has helped many small communities reimagine what their commercial corridors look like and how they function with an eye on the future and best practices for the downtown districts. This initiative brings together a group of professionals to analyze the downtown districts through community meetings, direct research, and forward thinking. It takes 9 to 12 months for complete results in a dynamic document that could be used in the Master Planning process and potential future redevelopment. If chosen for this project it will be a community lead project meaning everyone will have the opportunity to be involved and participate through community organized meetings. It is critical that all voices are heard and contribute for the team to create something that everyone participated in. Colon is your community but as communities around us pursue updates, developments, and infrastructure improvements we run the risk of falling behind and losing valuable resources and interest in our own community as a result. It is the main goal of the DDA is to pursue projects to grow our downtown district and ensure that our businesses thrive.
    - ii. It will also give the zoom meeting information and I just forwarded it to Julie Dekker. RA Kuhlmann would also like to see it posted on the website. I think we need to have it posted on the door also. So, people who do not have internet or have access to it will also know about the meeting. We also have it posting on the DDA website that we have now, which is very limited. S. Craun asked if there was a way for her to forward it to the girls in the office and she said she forward it J. Dekker and to her (S. Craun). RA Kuhlmann said they are encouraging everyone via zoom to attend. We would like people to be there to hear what MSUBEI has to say. We are very close to getting that grant.
  - d. RA Kuhlmann has talked to James Avery about moving the sheds several times. She is on it; she cannot pick them up and carry them herself. She is doing the best she can to get them moved to where they are supposed to be. As soon as he can do it, she is sure he will. E. LeBoeuf said maybe we should put a little pressure on him before it does become an issue. It needs to be taken care of before snow plowing starts. S. Craun asked if she should contact him, and RA Kuhlmann said let her try again.

- e. M. Malmborg said as far as the TIF stuff is concerned, he went through the finance and how it works with B. Farrand, and Tadd Davis and it is based on the taxable value from 2010 tax value, and we are not quite back to that value yet to the point that we can start recapturing. Once that hits that threshold, anything above that we can start recapturing.
  - f. L. Norton asked where Circa was out of? RA Kuhlmann said Kalamazoo, MI.
9. Blight Report – nothing reported.
- a. M. Hayden is ill, and we do not have a report at this time. B. Farrand said once he is back in the office, he will forward her the report and she will get it out to us.
10. Zoning Report – as reported.
- a. D. Kuhlman is not here but he did include what is going on in our packets. Any questions?
11. Other committee Reports
- a. Fleis & Vandenbrink - Update Water/Sewer
    - 1. A couple of brief project updates:
      - a. Water/Sewer Committee meeting on October 27<sup>th</sup>. As Matt mentioned the lagoon influent pipe replacement, the design has been completed, the permit was applied for through EGLE. We received that just before the water/sewer committee meeting. They are for the plan, and we are waiting on Parrish to see what they come back with their final price.
      - b. Pump station replacement project. We are still waiting on figuring out what we are doing with the Catherine Lift station for the easement. Once that is ready, we will be able to apply for permits through EGLE.
      - c. He did mention at the Water/Sewer because of these delays, and we are going through a federal agency USDA RA for construction next year the window is getting really tight just because a permit could take up to 45 days and we have to wrap up the closing check list. Send the plans to USDA and that could take up to 90 days. We are like months out. It might be a benefit to the Village, we are seeing prices for pumps and materials go up as is everyone. If construction gets delayed for a year it may be a benefit to the Village. Prices may start to stabilize at that point.
        - i. E. LeBoeuf asked if we delay will we still have the same interest rate? T. Sutkowi said that our interest rate is locked in.
      - d. Switching gears to water. We are still searching for those well sites. We had one property picked out, but we found pollution in the soil, that was the Sprowl Farm. He does have another parcel just south of that one that may be promising. We are looking into it. It meets all of our clearance requirement. J. Broady is doing a deeper dive into to see if its worth getting a purchase agreement in place for it. Testing on the site to see what can be pumped out.
        - i. S. Craun asked what happen with the school. T. Sutkowi wasn't sure if anyone followed up with them. M. Malmborg said he did, and the school would give up some of the property, but they wanted to pull water off the well as well.
      - e. Another site was brought up. The old water tower on Second and Bowman. There are some clearance problems with that area. Nothing can be built within 200 feet on a circle around it. You need 400 x 400 feet around it.
      - f. Lamb Knit Mill. Had some correspondence with MEDC. We are trying to get a grant extension. Rearrange some of our studies. Just do a more in-depth phase

It because we cannot enter the building to do a structure analysis for the building code review. MEDC just got back with us, and they want us to try and get the asbestos abatement. But that is around a \$500,000.00 cost. Maybe they will extend it a long time so we can get that and find funding for that process. Tyler needs to get with Trevor and the environmental team about what they know about Brownfield sites to see what we can do to help the building owners. Tyler also has to get with Trevor to see what the Village liability is, just because they did find the asbestos.

- g. GSI updates were scheduled to come down to the Village Tuesday November 16<sup>th</sup> to get that installed.

## Unfinished Business

1. Handbook Review-
  - a. The old and the new handbook is at the attorney's office. Just waiting for him to get back with us.
    - i. E. LeBoeuf made a motion to table the handbook review until next month. Seconded by L. Norton. Motion passed.
2. Budget Workshop-
  - a. S. Craun reached out to the department heads. M. Barrett and B. Farrand are ready to meet. Still waiting on dates from M. Brinkert. M. Brinkert said anytime.
    - i. E. LeBoeuf made a motion to table budget workshop until next month. Seconded by M. Malmborg. Motion passed.
3. Bank Statements/Credit Card – Sturgis Bank & Trust
  - a. B. Farrand has those, and we have signed them. S. Craun asked if we need a resolution or just the minutes. B. Farrand said the minutes. Rob Thall said that we could do a resolution within the minutes to dissolve K. Kuhlmann from all bank accounts. Which was approve November 9, 2021.
4. Marijuana Public Hearing-
  - a. M. McManus made a motion to table the Marijuana Public hearing until next month. Seconded by E. LeBoeuf. Motion passed

## New Business

1. Recommendation – DPW
  - a. M. Barrett recommends John Wall as his replacement. He had an interview with him, he thinks he will be a good fit. He is local, grew up in Colon and is active in the community. He has some experience with farm equipment. I would like to recommend him and respectfully ask the council to possible consider adding one dollar to the base rate, just to reflect the cost of living from the time the policy was added.
    - i. S. Craun stated that she believes it was \$12.80. M. Barrett said correct.
      1. M. McManus said we had 2 applications for the position and didn't know if the personnel committee needed to meet before deciding. S. Craun said that they could, but she told J. Weinberg that they would go with his recommendation. The same as we do for M. Brinkert when he hires an officer.
      2. E. LeBoeuf made a motion to hire John Wall as a full-time employee with benefits with a starting rate of \$13.80 per hour pending drug screen and DOT physical per our handbook. Seconded by D. Delp. Roll Call – J. Gross – Yes, E. LeBoeuf – Yes, L. Norton – Abstain, M. Malmborg – Yes, D. Delp – Yes, M. McManus – Yes, S. Craun – Yes. Motion passed.

- a. The council wanted to make sure that M. Barrett went over the step wage increase with John Walls. M. Barrett said that he went over all the step wage increase with John Walls
    3. The Council welcomed him aboard and asked when he would be starting. M. Barrett said after his drug and physical came back. B. Farrand said she would schedule his appointment in the morning.
2. Brandon Baker – Liquor License
  - a. Brandon Baker asked for a resolution vote. As you know I purchased Clancy’s. I have had the opportunity to purchase a Class C Liquor License in St. Joseph County. The first step in that process is municipal approval. It is an opportunity to bring a business back to Colon. Clancy’s has been sitting down there deteriorating. This will give me the opportunity to renovate it and bring it back to life and bring up the property value in the area. It will also bring jobs into the community and another place to eat out. The first step is municipal approval to allow the transfer of a Class C Liquor License.
    - i. M. Malmborg asked if it was coming from someone else in St Joseph County. Brandon said yes, it is in escrow right now. E. LeBoeuf said in order to get the liquor license out of escrow and purchase it, do you need some sort of paperwork? Brandon said yes. I brought the paperwork with me. This is for your vote tonight. This will start the State application for it.
    - ii. S. Craun asked if there was a limit on liquor license we could have. M. Brinkert said if its in escrow and stay in St Joseph County it can come here. M. McManus what a Class C Liquor License allow you to sell? Brandon said beer, wine, and liquor on the premises.
    - iii. E. LeBoeuf asked if he need the unapproved minutes from tonight to attach to your license application? The way that Brandon understands it is that the Council will have to do a resolution and attach it and fill out that form. E. LeBoeuf said they could draft a formal resolution. Do you need it tonight? Brandon said he does not, but keep in mind it is a long process. The opportunity for a transfer and one available is rare so he does not want to miss the opportunity. But I don’t want to pressure the council either.
  - b. E. LeBoeuf made motion for the Village resolves to allow a Class C Liquor License at 676 W State Street in the Village of Colon, County of St. Joseph, State of Michigan. Seconded by J. Gross. Roll Call, M. McManus – Yes, D. Delp – Yes, M. Malmborg-Yes, E. LeBoeuf-Yes, L. Norton-Yes, J. Gross-Yes, S. Craun-yes. Motion passed.
3. Kathy Meiras – Audit
  - a. K. Mieras presented the audit. The Village was given an unqualified opinion. Which is the highest opinion you can give on the financial statements. What this means the report that we issued is materially correct. Gaybridge wanted to thank Billi Farrand, Julie Dekker, Jim Weinberg, and Mark Brinkert for all the cooperation. They are wonderful people to work with. Kathy had no problems whatsoever when performing the audit. It’s been a crazy two years and the books were in very good shape. The municipalities are one of the few areas during this fiscal year that did not get a lot of federal grants. There were a few things like hazard pay information but most of that money will not be coming through the village until next year. There was not a whole lot of change in this particular year as your types of revenue and expenditures. We found that your change in Fund balance (which everyone what to know about). This year you took in \$566.00 more then you spent this year. There was a very small change, you didn’t go down, but you didn’t go up a lot either. For a municipality in this particular time frame is very good. There were so many things that happen during COVID-19, so many changes that came up. You were trying to keep people paid when people were not working. It was a crazy time and for you to come out ahead at all is really a miraculous accomplishment. The Village did a really good job during this period of time to make things work and it came through very well.

- b. When we are talking about the DDA, and we are talking about the Village taxes. The property taxes, you had an increase of a little over \$7,600.00. Your tax base is continuing to stay steady its not going up and its not going down.
- c. Other areas we saw changes as far as income was in the inter-governmental areas. State and Federal Government sent money here for allowing for hazard pay for your safety and DPW workers. There were some increases for that. Those were where most of your revenue increases came from. There was not a lot of change in your state revenue sharing. It did go down some. They did make up for it in other areas, so it is like it stayed the same. It was almost the same as a year ago. Not a lot of change
- d. Expenditures went down. They were \$24,000.00 less then the previous year. Covid put a halt to some of the work that would have been done on the Major and Local Streets. Major Streets saw an increase of \$73,000.00 which is unusual. You usually have more expense than that. Most of your expenses were in local streets. Major Street Fund balance is \$278,000.00 and Local Street Fund balance is \$81,000.00. When you get money into the Major Street you are allowed to transfer a percent into the Local Street if you so desire or need to. This would be done by board resolution. Kathy hasn't seen this happen in the last 2 years. Typically, this happens when the Major Street fund goes up. This is something you may want to consider in the next fiscal year. You are limited in how much you can transfer so you might want to plan ahead.
- e. Debt is starting to get paid off. In the past you had to have money in reserve for the loans you have out there. That particular loan that you had the money in reserve is paid off. There is money sitting in reserve for repairs and maintenance for sewer and water. Right now, it is restricted by board action because it was required for those loans. Those loans are paid off and you are not required to keep it in there, but you can keep it there and use it for repairs and maintenance. If it is not spent on that then it has to be released by board action.
- f. Water/Sewer fund. The net change for sewer is a positive increase of \$38,622.00 and water has a decrease of \$8,177. Not a big change. Billing went up due to rate change. Usage did not seem to go up. They are about the same. Expenditures are down this year. A lot had to do with the SAW grant that was finished a year ago. Not a lot of activity this year. Kathy thinks it is due to COVID. Things being shut down. What that has done for the Village is to keep us in a balance position.
- g. The other thing Kathy wanted to point out and because it is possible you might be getting a letter from the State on it. You may not because they are being a little more relaxed on it. It has to do with budgeting. When we compare your actual results of your general fund and what you budgeted, The State does not let you spend more on a particular line item then what had been approved. There is only one area that it is over and there is a good explanation for it. It had to do with the confusion with the DDA. There was grant that was received for the Pop-Ups. That grant was received by the Village. However, the pop ups were done by the DDA. What had to happen is the money came to the Village and then the Village had to transfer it to the DDA to get the pop ups into the DDA area where it needed to be. That transfer was not budgeted. That is one thing that shows up on the financials as a negative amount. Typically, you would get a letter from the State saying why did you go over budget. You just explain it was a misunderstanding and it will not happen again. You may get that letter and if you do let me know and we'll help you write that explanation. If you don't that is great, we know they are being a little more lenient due to COVID issues.
- h. This year 49% of revenue came from taxes. Last year it was 50%. The only reason it went down instead of up is because of the grants that came in this year that you didn't have previously. Grants did not change they are at 15%. Other operating grants and contribution are up 2% and that has to do with COVID related grants. Charges for service (water, sewer) are 10% of your total. That also stayed the same.

- i. Expenditures did not change a lot this year. Public Safety was 46% this year, 42% last year. Most of that was due to bonus and things that were given to the officers because of hazard pay. The Public Works was 30% this year and 29% last year. We are not seeing a lot of fluctuation in where your expenditures are coming from. Your government revenue and expenditures are staying relatively stable in all areas.
- j. Over all things look pretty good this year. For a strange year everything looks normal. The books are really good shape. Kathy thanked Billi and Julie again.
- k. One more thing Kathy wanted to mention. This has nothing to do with the audit but is a concern. The clerk/treasurer resigned about the same time the audit was started and to Kathy's understanding it still has not been filled.
  - i. E. LeBoeuf said that is correct.
- l. The reason for the concern is because she brought with her tonight some internal control procedures that are recommended by The State of Michigan and also the job description that the State of Michigan has put out what a clerk/treasurer is to do. From a financial standpoint, the fact there is not a clerk/treasurer here causes Kathy concern. That person is the one that is supposed to be the most involved in the financial area. They are the ones or unless the council appoints someone else oversees the financial aspect of the day-to-day operations. This does not mean being there every day or looking at everything Billi and Julie does. They are the ones who sees that the internal controls are in place and are operating correctly. With that position not being filled it calls for someone from the council to do so. Kathy's concern is that this is not being done.
  - i. S. Craun asked if Kathy could send that to her. Kathy said yes.
  - ii. L. Norton asked what is their other course? Kathy said that the Clerk/Treasurer used to be an elected position. Then the State relented and said if an ordinance is passed by the Municipality stating that they want that to be an appointed position that's fine. The reason for is the fact that many municipalities would have their clerk/treasurer would run their office. If that was the case, then they would have to have certain qualifications. We don't see that happen as much anymore. **If you don't have clerk/treasurer in place and you have Billi and Julie who are doing the day-to-day operations.** You will need someone to fill in and sign checks and make sure the bank reconciliation is done on time, make sure the property taxes billings are done correctly. Those types of things. That is what a clerk/treasurer would typically over-see. Now you can have that assigned to someone else on the council. It is ultimately the council responsibility to see that that job gets done.
    - 1. M. Brinkert asked if this is something that we could say Billi be the treasurer and Julie be the clerk and split those two duties up? Is that allowable? Kathy said that is allowable as long as there is internal control set in place. Someone from the council is appointed is looking at what those internal control is. Again, I can give you a copy of what the State recommends. As long as someone is assigned to look at that. If that is what happens, I recommend that you do not have those two signing checks. You could have one sign but not the other. Not that Kathy doesn't trust Billi and Julie because she does. It is not good internal control practice to have two people in the office basically checking each other's work.
      - a. S. Craun said that the Village attorney has advised them not to do that. E. LeBoeuf said then they would be deputy clerk and deputy treasurer. Kathy said that is correct. E. LeBoeuf said that he would volunteer for now. S. Craun said as far as the bank statements go, she would review them, because she has had twenty-five years of banking experience. She said she is the most qualified to do that. Kathy said she doesn't need to reconcile them she just need to make sure

they are done. You need someone to cover those bases. Its not that Kathy doesn't trust the girls in the office. She has no reason to doubt that they are not honest. Sometimes the look of impropriety can be just as bad as the act. You want to make sure for their protection as well as the councils those bases are covered.

- m. E. LeBoeuf asked if we need something formal saying S. Craun is acting as? Kathy said you do not need anything formal; Kathy would recommend they put something in the minutes that this is what has been decided to happen as to whatever the council wants to do. It does not have to be a resolution or anything like that. There needs to be enough when I come in to audit, I know what you have decided. S. Craun said she should probably initial off those statements. Kathy agreed.
    - i. E. LeBoeuf made a motion to make S. Craun in charge of reviewing bank statements and sign off the bank statements that B. Farrand reconciles. Seconded by D. Delp. Motion passed.
  - n. The Council thanked Kathy Mieras for her time.
  - o. D. Delp asked why we couldn't get anyone for the Clerk/Treasurer position. L. Norton said no one wants to apply for it for what we are paying. M. McManus asked if S. Craun has reached out to Glen Oaks and S. Craun responded by I have but no one has called her back yet. She also reached out to a couple of people that she knows who may be interested. Everyone says let me think about it especially when they find out how much it pays. It's a lot of work for what we are offering.
4. Fire Department – Township – Attorney Fees
- a. S. Craun said we are getting a new fire truck and there is paperwork that needs to be drawn up. CFD has some paperwork that needs to be drawn up by an attorney. I was suggested that the Village would go in with the Township attorney Lance Thornton. This would be less expensive then using Rob Thall. S. Craun would like to know from the council is they agree with using Lance Thornton. We would go in together with the township and we would only have to pay part (40%) of the cost instead of both the Township and the Village paying for two attorneys.
    - i. M. Malmborg made a motion that we share cost with Colon Township for the paperwork that needs to be drawn up for the Colon Fire & Rescue Department. Seconded by D. Delp. Motion passed.
5. New Resolution LEP (Limited English Plan)
- a. Jason Laney was here and wrote up a resolution for us adopt the Limited English Plan (LEP).
    - i. E. LeBoeuf made a motion to Adopt Resolution 2021-11-9. Seconded by M. Malmborg. Roll Call vote, M. McManus–Yes, D. Delp–Yes, M. Malmborg-Yes, J. Gross-Yes, E. LeBoeuf-Yes, L. Norton-Yes, S. Craun-Yes. 7 Yeas and 0 Nays. Motion passed.
    - ii. LEP was one of the closing checklists items that we need for the RD USDA Loan we are applying for.
6. Sewer Easement-
- a. J. Dekker sent out an email out to the council and then she took it over to the County to get recorded. S. Craun thanked her for that. We should be all set for that.
7. Community Alert System-
- a. M. Malmborg stated that he had someone approach him about doing something like the community alert system. M. Brinkert said the only problem with this is if he is the one doing it it'll be down on his list of things to do and if the girls in the office are doing it and they are already busy. M. Malmborg didn't know if there was a way to do that multiple people had access to it. M. Brinkert said no it would be our system and our people would have to be the ones to put out the messages. We can put out messages for any and everybody, but it would have to be approved. We would have 3 people who would be able to approve messages going out. Not anybody could log in and put messages on there. M.

Malmborg said that it was brought to his attention, and he just wanted to see where we were at with it. M. Brinkert said it's a good ideal to have, it is just very time consuming. The training on that is 6 hours and you send three people and that 18 hours. It is just a matter of when we can do it. We usually slow down in October, that didn't happen, and November doesn't look any better. Maybe in January when we have freezing weather.

- b. S. Craun said maybe we can touch base with it again at the beginning of 2022. M. Brinkert said it is budgeted for this fiscal year.

#### 8. Finance Committee-

- a. S. Craun said M. Malmborg brought up some questions about the finance committee. It is something that she has been thinking about as well. It seems like in the last two year when she brings it up, it has been denied. It is probably not a bad thing; she has put together a list of people that she thought would be good candidates for this. It's up to the board on how you all fell about it.
  - i. M. McManus asked what the duties were? S. Craun said It would be a committee to discuss finances and what we can do differently, some concerns. E. LeBoeuf said something like a finance steering committee. Where are we going?
  - ii. M. Brinkert said you as elected official and you represent the taxpayers of our community to give us direction. M. Brinkert's problem with that is not everyone understand municipal finance. You just heard we bankrolled a whole \$510.00 we do not have money to do a lot of improvements. We are struggling to maintain the base here. You have people from the outside come in and say you need to do this, and you need to do that. They really do not know what really is going on. That to M. Brinkert is the council's position. The elected representatives. E. LeBoeuf said he didn't think anyone here was talking about having outside people on the committee just council members. S. Craun said the people who spoke to her that it should be outside people on the committee. E. LeBoeuf said then they should run for office.
  - iii. S. Craun said this is something we can discuss further during budget time. M. Malmborg said as far as the committees are concerned it is the final discussion of the council to go about doing things based on recommendation from the committees.
  - iv. B. Farrand asked if any of the people who want to be on this finance committee come to any of the monthly council meetings? S. Craun said some yes and some no. Everyone wants to give there input on what we are not doing correctly and what we need to get rid of and what we need to keep. Some that are not completely involved to understand the whole picture.
  - v. L. Norton said she was confused on why we need a financial committee. What is their purpose, what they would be in charge of? S. Craun said they would not be in charge of anything. They could give recommendations and that would be it. M. McManus said that is what public comments are for. L. Norton just doesn't get what the need for a financial committee is, I guess. It is brought up to S. Craun every year. She doesn't want people to think she is disregarding their wants. More discussion about this. S. Craun said the ones that she talks to its more like they want to tell us where we are doing things wrong and how we should be doing it. L. Norton said then they should be coming to the meetings.
  - vi. E. LeBoeuf said hold on before going any further. When we say committee, it's a committee of the council then it will be council members. If it involves citizens, then it is a citizen's taskforce. When we say committee, it is a committee of council members. S. Craun said if it's a committee of council members, the committee of council members are already doing this when we do our budget. When she talks about a finance committee, she is talking about other people who want to be involved in that and then we bring that back. A finance committee would just be like the DDA. That's a committee that gives their suggestion or recommendations that come in front of

the board. Several council members are not sure this a good ideal. They don't feel the residents will see the whole picture. E. LeBoeuf asked if the council had a finance committee before. S. Craun said every year she asks about it. J. Gross asked when we do the budget is it posted for the public to attend. S. Craun said yes. J. Gross said they have an opportunity then.

- vii. B. Farrand said a lot of the confusion between governmental accounting and business accounting. Everyone agreed.

9. Wage Enhancement-

- a. S. Craun said we normally pay that the week of Thanksgiving, is that a correct Mark? Correct. The Christmas Enhancement is for active employees only. M. Brinkert thinks we should give Becki Lilly a \$25.00 stipend even though she just started. She is doing a great job. Lewis Burns will also get a \$25.00 stipend also (Lewis has not been here a year).
- b. M. Brinkert asked if he could say something while B. Farrand was printing off the correct Christmas Wage Enhancement. S. Craun said yes. M. Brinkert said we talked about Julie and Billi being the Clerk/Treasurer and our attorney said it was a conflict of interest. What bothers him is when Ruth Ann Kuhlmann was Village President, a powerful position, and her husband Kurt Kuhlmann was Clerk/Treasurer, powerful position, and that was ok, and we were able to work that out. If our auditor says that it is doable and we have internal control in place, I think we should seriously look at that. Take the money we were to pay the clerk/treasure and boost their pay for the extra work they are going to do. The attorney is going to look for every reason we couldn't have someone outside because of COVID because there was a bump in the sidewalk. What bothered me most about that is the person who called the attorney about that was our Village President Ruth Ann Kuhlmann and yet her husband was the clerk/treasurer. Again, two very powerful positions that still seem to work just fine. We really need to look making Billi Treasurer/Office Manager and Julie Clerk/Billing Clerk. That would resolve this. We already have controls in place now where they are not signing checks. The control is already in place. We have council members coming in and signing checks and doing checks and balances. With Sharon coming in and doing those balances, she was doing that when Mitch Mitchell was here. I think we would resolve our position and invest in our employees that are here and know everything. Julie is the one who has been doing our taxes every year. What really bothered M. Brinkert is because our attorney said it was a conflict of interest. E. LeBoeuf said that we should ask our attorney again. M. Brinkert said no we should ask our auditor, who looks at our financials, looks at who is signing the checks, looks at our balances. Our attorney is going to look at the paper and say no. He has no clue about what our day-to-day operations whatsoever, but our auditor does. She has been with us for more than 15 years. That is just M. Brinkerts opinion. I think that is something we need to look at. Again, take the money we were paying the clerk/treasurer reinvest in our employees who is going to pick up extra work. I don't know if Julie is thinking shut up Brinkert, I don't want to do it. Everyone laughed. M. Brinkert said she already does our taxes; Kurt just comes in and signs. J. Gross asked if it was something that she would be interested in. J. Dekker responded with you are the only one who has asked me that. Julie said we do it together, Billi does the whole calculations and I deal with the county and our tax assessor. It's a joint effort between us. M. Brinkert said J. Dekker is the FOIA Coordinator, and has gone to training, why not send her to Clerk training so she can take minutes and be able to post it on the website. She is already doing it now. E. LeBoeuf said then she would actually be getting paid to be at the meeting. Let's reinvest in our employees.
- c. S. Craun said lets get back to Wage Enhancements. The Christmas Wage Enhancement is \$2,050.00.
  - i. E. LeBoeuf made a motion to approve Christmas Wage Enhancement 2021 in the amount of \$2,050.00 to be paid the week of Thanksgiving. Seconded by J. Gross. Motion passed.

## Public Comment

- a) Ed Bell said that he thought Kathy Meiras just gave a nice report, audit. He was really happy to see that especially in the Department of Public Works. She indicated that there is a little road improvement money in there. Ed has one question and a minor suggestion. He would like from the caution light all the way to the township, a center line in the road marking and a white line on the edge, so if you're in the fog a little or bad weather, you wouldn't be in the ditch as often. Not sure how many people go west of the caution light to the township. Maybe I'm talking to the wrong people, I don't know. E. LeBoeuf said he's right when it's raining you can barely see.
- b) Ed Bell has one other comment about these two lady's rights here (Billi Farrand & Julie Dekker), Give them a job description and what you expect from them, alter the clerk/treasurer position, trust them, and then go get an insurance policy for fraud. Everyone laughed. M. Brinkert said if that is not a vote of confidence, I don't know what is. E. Bell seriously thinks they do an awesome job.

## Correspondence –

- a) S. Craun said there were two correspondences in the packets. One signed and the other one not signed. E. LeBoeuf said I don't know how much credence we can give to an anonymous letter. S. Craun said she does not.
- b) S. Craun said here is the correspondences from FAB Magic and the other was put in the drop box with no signature. S. Cruan said she does not have a whole like of creditability from someone who cannot sign it.
  - a. J. Gross had one question concerning FAB Magic. He is blaming the council members. Is it the council members responsibility to go to the businesses and see if there is anything the council can do for them or what the Village can do for them? M. Malmborg said no, it's the DDA or the Chambers job. Sharon said he can write a letter like this, but he forgot when I shoveled his sidewalk and the ramp at 6am in the morning so that he wouldn't complain more then once. I never heard a word from him for doing that. I didn't expect to have a thank you, but he has forgotten what council member do for him. Former Village Manager Patti Rayl went over and picked up leaves because he was complaining. E. LeBoeuf said clearly, he is not keeping up with what we are doing, in his second paragraph he says DDA, and Planning Commission isn't doing all this, we are, and you need to come to a meeting to be kept informed.
  - b. J. Gross had another question. She wanted to know if it was the responsibility to report blight to the blight officer or can any concerned citizen to that. M. Brinkert said any. You can go into the office fill out a report. People send us picture all the time and we forward them to our blight officer.

Adjournment – M. Malmborg made motion to adjourn. Seconded by Everyone. The meeting adjourned at 9:30pm.

Respectfully submitted,

*Billi Farrand*

Billi Farrand